

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Hollis J. Larson,

Case No. 19-cv-2811 (WMW/DTS)

Plaintiff,

**ORDER**

v.

The Minnesota Department of Human  
Services et al.,

Defendants.

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This matter is before the Court on Plaintiff Hollis J. Larson's application to proceed *in forma pauperis* on appeal. (Dkt. 92.) Rule 24(a)(3) of the Federal Rules of Appellate Procedure provides:

A party who was permitted to proceed in forma pauperis in the district-court action . . . may proceed on appeal in forma pauperis *without further authorization*, unless:

(A) the district court—before or after the notice of appeal is filed—certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis and states in writing its reasons for the certification or finding; or

(B) a statute provides otherwise.

Fed. R. App. P. 24(a)(3) (emphasis added). Larson applied for and was granted *in forma pauperis* status at the commencement of this action. His appeal has not been certified as taken in bad faith, and no statute prevents Larson from proceeding *in forma pauperis*. Because Larson does not need to apply for *in forma pauperis* status on appeal, his request

is denied as moot. To be clear, this ruling does not prevent Larson from proceeding with his appeal *in forma pauperis*, because Rule 24(a)(3) permits him to do so.

**ORDER**

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Plaintiff Hollis J. Larson's request to proceed *in forma pauperis* on appeal, (Dkt. 92), is **DENIED AS MOOT**.<sup>1</sup>

Dated: January 29, 2021

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge

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<sup>1</sup> Larson's request is denied as moot, because he did not need to file an application to proceed *in forma pauperis* on appeal. Under the Federal Rules of Appellate Procedure, Larson is permitted to proceed *in forma pauperis* without further authorization from the Court. Fed. R. App. P. 24(a)(3). Accordingly, Larson may continue with his appeal without paying fees.